

Salt Lake Base & Meridian, and the plaintiff is decreed to be the owner of the right to so use and divert the water at all times from January 1st to December 31st of each year; that the water right to 240 gallons of water per minute is decreed to have a priority date of 1901.

5. It is further ordered, adjudged and decreed that the plaintiff Granite Water Company is the owner of the right to irrigate twelve acres of land situated in the Northwest quarter of Section 12, Township 3 South, Range 1 East, Salt Lake Base & Meridian, together with the right to divert and use all of the percolating water which percolates near the surface of that portion of the Northwest quarter of Section 12, Township 3 South, Range 1 East, Salt Lake County, State of Utah.

6. It is further, ordered, adjudged and decreed that the pumping of water from the wells described above as points of diversion Nos. 4 and 5 interferes directly and substantially with the water rights of the plaintiff, and that the change applications, insofar as they contemplate the pumping and diversion of water from said wells are approved only upon the conditions set forth above.

7. Midvale City is hereby enjoined from pumping or diverting any water from either of the wells described above, except upon its compliance with the conditions herein imposed, and if any water be pumped by Midvale City from either well between August 15th of any year and April 1st of the following year, then it shall have the obligation to maintain the minimum flow of 53 gallons per minute in plaintiff's pipeline from the date water is so pumped until the following April 15th.

8. The State Engineer is hereby ordered to limit the approval of the change applications to comply with the conditions hereby imposed.

9. It is further ordered that the plaintiff shall have its costs incurred herein, as against Midvale City, only.

Dated this _____ day of December, 1949.

Honorable R. H. [Signature]
Judge